

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TOKIO MARINE AND NICHIDO FIRE INSURANCE CO.,
LTD., as Subrogee, and NILT, INC., as Subrogor,

Plaintiffs,

-against-

MURRAY CANTER, CHERYL WICHINSKY-CANTER,
and ADAM J. CANTER

Defendant.

Civil Case No.: 07 CV 5599
(PKL) (AJP)

AFFIDAVIT IN
OPPOSITION

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STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

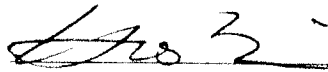
HAE JIN SHIM, being duly sworn, deposes and says:

1. I am associated with the firm London Fischer LLP, attorneys for plaintiffs, TOKIO MARINE AND NICHIDO FIRE INSURANCE CO., LTD., as Subrogee, ("TOKIO MARINE") and NILT, INC., as Subrogor, ("NILT") and I am fully familiar with the facts and circumstances set forth herein.

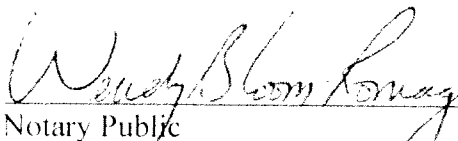
2. I submit this Affidavit in opposition to defendants' motion to dismiss.


3. Annexed hereto as Exhibit "A" is a copy of the Affidavit of Service of the Summons and Complaint.

WHEREFORE, it is respectfully requested that the defendants' motion be denied in its entirety.


HAE JIN SHIM (HS 3297)

Sworn to before me this
16th day of November, 2007


Notary Public

WENDY BLOOM-ROMAGNUOLO
Notary Public, State of New York
No. 01BL6065365
Qualified in Richmond County
Commission Expires Dec. 23, 2010 

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